

JDJ/ms

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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CHARLES MOORE and LISA MOORE,

**NOTICE OF
REMOVAL**

Plaintiff,

04-CV-10216

-against-

**Judge Sand
Mag. Judge Katz**

FRANCES D. CUTTER and
PETER NAYLIS,

ECF CASE

Defendants.

-----X

S I R S :

PLEASE TAKE NOTICE, that the within is a true copy of a
Notice of Removal filed in the above named Court.

1. This action is being removed from Supreme Court, New
York County to the United States District Court for the Southern
District of New York.

2. The basis for removal is 28 U.S.C. §1441(b).

3. The Court has original jurisdiction pursuant to 28
U.S.C. §1332(a) in that the plaintiffs CHARLES MOORE and LISA
MOORE reside in Bronx, New York; defendant, FRANCES D. CUTTER,
resides in Hackensack, New Jersey; defendant, PETER NAYLIS,
resides in Westwood, New Jersey; and the matter in controversy
exceeds the sum or value of \$100,000.00 exclusive of interest
and costs.

Dated: New York, New York
December 23, 2004

DOWNING & PECK, P.C.

BY: _____

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